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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: \_\_\_\_\_

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 Assistant Attorney General  
 ANDRE BIROTTE, JR.,  
 United States Attorney  
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Attorneys for Plaintiff United States of America

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE JANKOVICH COMPANY, and  
LLOYD'S SYNDICATE 1607, *in personam*,

Defendants.

Civil No.

IN ADMIRALTY

VERIFIED COMPLAINT OF  
THE UNITED STATES

**CV 10-02161-DDP**  
--- (FMOX)

Plaintiff, the United States of America alleges upon information and belief as follows:

**GENERAL ALLEGATIONS**

1. This is a case of admiralty and maritime jurisdiction against Defendants THE JANKOVICH COMPANY and LLOYD'S SYNDICATE 1607, *in personam*, as hereinafter more fully appears, and within Rule 9(h) of the Federal Rules of Civil Procedure.

2. The United States is authorized to bring this suit pursuant to 28 U.S.C. § 1345, 33 U.S.C. §§ 1321 and 2717.

VERIFIED COMPLAINT

1           3.     Venue is properly in this Court pursuant to 28 U.S.C. §§ 1391 and  
2     1395, and 33 U.S.C. § 2717.

3           4.     The United States also brings this action on behalf of the Oil Spill  
4     Liability Trust Fund (hereafter "Fund"), pursuant to the Oil Pollution Act of 1990, 33  
5     U.S.C. § 2701, *et seq.*, to recover any and all removal costs and damages incurred  
6     directly by the Fund, any removal costs and damages incurred by the Fund through  
7     compensation paid to any claimant, and all costs incurred by the Fund by reason of  
8     any such claims, including interest, prejudgment interest, adjudicative costs, and  
9     attorney's fees. Pursuant to the Oil Pollution Act of 1990, 33 U.S.C. § 2712(f), the  
10    United States has acquired by subrogation, or may in the future acquire by  
11    subrogation, the rights of any claimant or State paid compensation from the Fund, and  
12    the United States specifically reserves the right to amend this Verified Complaint to  
13    assert any or all such subrogated rights and claims.

14           5.     At all times material herein, Defendant THE JANKOVICH  
15    COMPANY ("JANKOVICH") had a place of business in Long Beach, California,  
16    and was doing business in California and within this district and within the juris-  
17    diction of this Court, including through ownership and operation of the Barge  
18    TYLER J at the time of, and with respect to, the matters sued upon herein.

19           6.     At all times material herein, JANKOVICH owned the Barge  
20    TYLER J.

21           7.     At all times material herein, JANKOVICH operated the Barge  
22    TYLER J.

23           8.     At all times material herein, JANKOVICH managed the Barge  
24    TYLER J.

25           9.     At all times material herein, JANKOVICH chartered the Barge  
26    TYLER J.

1           10. At all times material herein, JANKOVICH controlled the Barge  
2 TYLER J.

3           11. At all times material herein, and by reason of the matters alleged  
4 in this Complaint, Defendant JANKOVICH is a "responsible party" within the  
5 meaning of the Oil Pollution Act of 1990, 33 U.S.C. § 2701, *et seq.*

6           12. At all times material herein, Defendant LLOYD'S SYNDICATE  
7 1607 had a place of business in London, England, and was doing business in the  
8 United States and California and within this district and within the jurisdiction of this  
9 Court, including, but not limited to, by insuring and/or providing evidence of  
10 financial responsibility and certain guarantees pertaining to marine oil pollution  
11 liabilities incurred by or through the Barge TYLER J.

12           13. LLOYD'S SYNDICATE 1607 has provided evidence of financial  
13 responsibility and certain guarantees pertaining to the said vessel pursuant to statute  
14 and regulations; accordingly, pursuant to those statutes and regulations, and up to the  
15 monetary limits of its statutory and regulatory liability, the United States of America  
16 is entitled to bring its claims directly against said guarantor.

17           14. At all times material herein, Defendant JANKOVICH, in addition  
18 to Defendant LLOYD'S SYNDICATE 1607, the latter solely up to the monetary  
19 limits of its statutory and regulatory liability, were agents of each other and are  
20 therefore responsible and liable, jointly and severally, for all of each of the others'  
21 obligations, acts, omissions, and strict liability with respect to the matters alleged in  
22 this Complaint and action.

23           15. On or after April 19, 2007, Barge TYLER J, while in the navigable  
24 waters of the United States, discharged oil into the navigable waters of the United  
25 States and adjoining shorelines. The foregoing discharge, including other acts and  
26 omissions to be established according to proof at trial, are hereafter referred to as the  
27  
28

1 “OPA Incident”, said term “OPA” referring to the Oil Pollution Act of 1990, 33  
2 U.S.C. § 2701, *et seq.*

3 16. The OPA Incident was proximately caused, *inter alia*, by the  
4 acts, omissions, and strict liability of Barge TYLER J, her owners, crew, agents,  
5 servants, employees, and others for whom JANKOVICH was responsible, all within  
6 the privity and knowledge of JANKOVICH.

7 17. Following the OPA Incident, JANKOVICH failed and refused  
8 to carry out removal of the discharge and pollution caused by the OPA Incident,  
9 thereby causing the United States to respond to the OPA Incident and remove  
10 discharged oil pursuant to, *inter alia*, the Clean Water Act, 33 U.S.C. § 1321(c), as  
11 amended by OPA.

12 18. As a result of the OPA Incident and as a result of failure by  
13 JANKOVICH to carry out removal of the discharge and pollution, the United States  
14 of America, by and through its various agencies and others acting on its behalf,  
15 responded to the OPA Incident and incurred removal costs and damages within the  
16 meaning of the Oil Pollution Act of 1990, 33 U.S.C. § 2701, *et seq.*, said removal  
17 action by the United States not being completed until a date after commencement of  
18 the April 19, 2007 OPA Incident.

19 19. As a result of the OPA Incident and as a result of failure by  
20 JANKOVICH to carry out removal of the discharge and pollution, in excess of  
21 \$227,032 was expended from the Oil Spill Liability Trust Fund.

22 20. The precise amount of removal costs and damages sustained by  
23 the United States presently exceeds \$227,032, the exact amount of said removal costs  
24 and damages to be established according to proof at the time of trial, plus interest,  
25 administrative charges, costs, disbursements, statutory attorneys’ fees, and penalties.

26 21. The United States reserves the right to amend this Complaint to  
27 add parties and/or assert additional causes of action.  
28

1                   **AS AND FOR A FIRST CAUSE OF ACTION AGAINST**  
2                   **JANKOVICH AND S.J. LLOYD'S SYNDICATE 1607**  
3                   **(OIL POLLUTION ACT OF 1990)**

4                   22. Plaintiff, United States of America, refers to and incorporates by  
5 reference as though fully set forth herein each and every foregoing paragraph of this  
6 Complaint.

7                   23. Pursuant to the Oil Pollution Act of 1990, each responsible party  
8 for a vessel from which oil is discharged, or which poses the substantial threat of  
9 discharge, into or upon the navigable waters or adjoining shorelines or the exclusive  
10 economic zone of the United States, is strictly liable for all costs, damages, and/or  
11 disbursements specified in the Act.

12                  24. Under the circumstances herein, JANKOVICH and LLOYD'S  
13 SYNDICATE 1607 are liable to the United States of America, without limitation, for  
14 all the aforesaid costs, damages, and/or disbursements sustained by the United States  
15 as a result of the OPA Incident.

16                   **AS AND FOR A SECOND CAUSE OF ACTION AGAINST JANKOVICH**  
17                   **AND LLOYD'S SYNDICATE 1607, *IN PERSONAM***  
18                   **(OIL POLLUTION ACT OF 1990)**

19                  25. Plaintiff, United States of America, refers to and incorporates by  
20 reference as though fully set forth herein each and every foregoing paragraph of this  
21 Complaint.

22                  26. Pursuant to the Oil Pollution Act of 1990, the Fund shall be  
23 subrogated to all rights, claims, and causes of action of claimants to whom it has paid  
24 compensation.

25                  27. As a result of the OPA Incident, the Fund may incur costs,  
26 damages, and/or disbursements by reason of claims for removal costs and damages  
27 brought against it under the Oil Pollution Act of 1990.  
28

1           28. Pursuant to the Oil Pollution Act of 1990, JANKOVICH and  
2 LLOYD'S SYNDICATE 1607 are liable to the United States of America for all such  
3 costs, damages, and/or disbursements which may be sustained by the Fund.

4           29. The aforesaid costs, damages, and/or disbursements of the Fund,  
5 as provided in the Oil Pollution Act of 1990, are presently unascertained.

6           **AS AND FOR A THIRD CAUSE OF ACTION AGAINST JANKOVICH**  
7           **(CLEAN WATER ACT, 33 U.S.C. § 1321(b)(7))**

8           30. Plaintiff, United States of America, refers to and incorporates by  
9 reference as though fully set forth herein each and every foregoing paragraph of this  
10 Complaint.

11           31. Pursuant to 33 U.S.C § 1321(b)(7), JANKOVICH is subject to a  
12 judicially assessed civil penalty.

13           32. Pursuant to 33 U.S.C § 1321(b)(7), JANKOVICH is liable to the  
14 United States for a judicially assessed civil penalty in an amount to be determined at  
15 trial.

16           33. Following the discharge of oil from Barge TYLER J,  
17 JANKOVICH, by and through its officers, agents, servants, employees, and others for  
18 whom it was responsible, undertook various actions that will be the basis of  
19 discovery. The United States expressly reserves the right to amend this Complaint  
20 to add parties and/or assert additional causes of action pertaining to JANKOVICH's  
21 post-spill actions, as well as assert such rights and actions, as may be appropriate, in  
22 other fora.

23           WHEREFORE, the United States of America prays as follows:

24           1. That United States of America be granted judgment against Defendants  
25 JANKOVICH and LLOYD'S SYNDICATE 1607, *in personam*, pursuant to the  
26 verified Complaint of the United States herein;

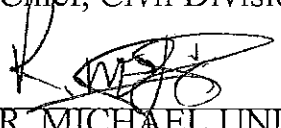
1           2.     That the United States of America be granted declaratory judgment  
2 against Defendants JANKOVICH and LLOYD'S SYNDICATE 1607, *in personam*,  
3 for pollution removal costs or damages binding on any subsequent action or actions  
4 to recover further removal costs or damages, plus interest, costs, disbursements, and  
5 attorneys' fees;

6           3.     The United States expressly reserves the right to amend this Complaint  
7 to add parties and/or causes of action, as may be necessary;

8           4.     For such other relief as the Court deems just and proper in the premises.

9 Dated: March 23, 2010.

10           TONY WEST  
11           Assistant Attorney General  
12           ANDRE BIROTTE, JR.,  
13           United States Attorney  
14           LEON W. WEIDMAN  
15           Chief, Civil Division

16             
17           R. MICHAEL UNDERHILL  
18           Attorney in Charge  
19           Torts Branch, Civil Division  
20           ERIC KAUFMAN-COHEN  
21           Trial Attorney  
22           Torts Branch, Civil Division  
23           West Coast Office  
24           U.S. Department of Justice

25           Of Counsel

26           THOMAS H. VAN HORN  
27           National Pollution Funds Center  
28           United States Coast Guard

Attorneys for Plaintiff  
United States of America

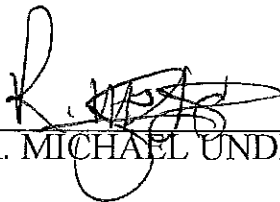
VERIFICATION

R. MICHAEL UNDERHILL says:

I am one of the attorneys for plaintiff, United States of America, herein, and make this verification by authority for and on its behalf; I have read the foregoing Complaint, know the contents thereof, and from information officially furnished to me believe the same to be true.

I verify under penalty of perjury, in accordance with 28 U.S.C. § 1746, that the foregoing is true and correct.

DATED: March 23, 2010.

  
R. MICHAEL UNDERHILL



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dean D. Pregerson and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

**CV10- 2161 DDP (FMOx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

## Name &amp; Address:

R. Michael Underhill, Atty in Charge  
 USDOJ/Torts Branch/Civil Division  
 450 Golden Gate Avenue, P.O. Box 36028  
 San Francisco, CA 94102

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

CASE NUMBER

PLAINTIFF(S)

v.

CV 10-02161-DDP(FMO)

THE JANKOVICH COMPANY, and LLOYD'S  
 SYNDICATE 1607, in personam,

DEFENDANT(S).

## SUMMONS

TO: DEFENDANT(S). \_\_\_\_\_

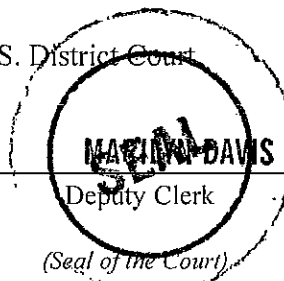
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, R. Michael Underhill, whose address is 450 Golden Gate Avenue, P.O. Box 36028, San Francisco, CA 94102. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: 25 MAR 2010

Clerk, U.S. District Court

By: \_\_\_\_\_



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

COPY

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> UNITED STATES OF AMERICA		<b>DEFENDANTS</b> THE JANKOVICH COMPANY, and LLOYD'S SYNDICATE 1607, in personam,	
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  R. Michael Underhill/Eric Kaufman-Cohen, USDOJ, Torts Branch, Civil Div. 450 Golden Gate Avenue, P.O. Box 36028 San Francisco, CA 94102, (415) 436-6648		<b>Attorneys (If Known)</b>	

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:35%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:35%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF <input type="checkbox"/> 2</td> <td>DEF <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF <input type="checkbox"/> 5</td> <td>DEF <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF <input type="checkbox"/> 3</td> <td>DEF <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td>PTF <input type="checkbox"/> 6</td> <td>DEF <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6														

**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from another district (specify):    ☐ 6 Multi-District Litigation    ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☐ Yes    ☒ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION under F.R.C.P. 23:** ☐ Yes    ☒ No    **MONEY DEMANDED IN COMPLAINT:** \$ excess of \$227,032

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Damages for oil spill cleanup pursuant to 33 U.S.C. section 2701, et seq.

**VII. NATURE OF SUIT** (Place an X in one box only.)
 

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input checked="" type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER</b> <b>PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number:

CV 10-02161

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☒ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
THE JANKOVICH COMPANY, Los Angeles County	LLOYD'S SYNDICATE 1607, London, England

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date March 23, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))